

DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that my citizenship, postal address and residence are as stated below; that I verily believe I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the invention entitled:

MAGNETRON ATOMIZATION SOURCE AND METHOD OF USE THEREOF

the specification of which

X is attached hereto, or
_____ was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56. I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

| | | | |
|-------------------------------|-------------------------|---|------------|
| <u>94105388.6</u> (Number) | <u>EPO</u> (Country) | <u>7 April 1994</u> (Day/Month/Year) | <u>Yes</u> |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year) | _____ |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)

I hereby appoint as principal attorneys Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169, to prosecute and transact all business in the Patent and Trademark Office connected with this application and any related United States and international applications. Please direct all communications to:

Evenson, McKeown, Edwards & Lenahan
1200 G Street, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 628-8800
Facsimile: (202) 628-8844

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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06.04.1995

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12.04.1995

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

622/42052

RECORDATION FORM COVER SHEET
PATENTS ONLY

65431 U.S. PTO
08/02331

07/29/97

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Pius GRUENENFELDER (1), Hans HIRSCHER (2), Urs
SCHWENDENER (3) and Walter HAAG (4)

Additional name(s) of conveying party(ies) attached?
___ yes ___ X no

2. Name and address of receiving party(ies)?

Name: Balzers Aktiengesellschaft

Internal Address:

Street Address: FL 9496 Balzers

City State Zip

Fürstentum Liechtenstein

Additional name(s) & address(es) attached?
___ yes ___ X no

3. Nature of Conveyance:

X Assignment ___ Merger
___ Security Agreement ___ Change of Name
___ Other

Execution Date: April 6, 1995 (1 and 2), April 10,
1995 (3) and April 12, 1995 (4)

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: April 6,
1995 (1 and 2), April 10, 1995 (3) and April 12, 1995 (4)

A. Patent Application No.(s)

08/417,854

B. Patent No(s).

Additional numbers attached? Yes ___ X ___ No

5. Name and address of party to whom correspondence
concerning document should be mailed:

James F. McKeown, Esquire
Evenson, McKeown, Edwards & Lenahan
1200 G Street, N. W., Suite 700
Washington, D. C. 20005

6. Total number of applications and patents involved:

1

7. Total Fee (37 CFR 3.41): \$40.00
___ X Enclosed. Please charge any underpayment in
connection with this Assignment to Deposit Account No. 05-1323
___ Authorized to be charged to Deposit Account

8. Deposit Account No. 05-1323

(Attach dupl. copy of this page if paying by Deposit Account)

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9. Statement and Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true
copy of the original document.

James F. McKeown 25,406
Name Reg. No.

Signature

May 26, 1995
Date

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET, ATTACHMENTS AND DOCUMENT: 3

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks
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Washington, D.C. 20231

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto:

**Balzers Aktiengesellschaft
FL 9496 Balzers
Fürstentum, Liechtenstein**

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to his invention relating to:

MAGNETRON ATOMIZATION SOURCE AND METHOD OF USE THEREOF

as set forth in his United States Patent Application (check one):

 X executed concurrently herewith,
 executed on _____,
 Serial No. _____, filed _____.

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of EVENSON, McKEOWN, EDWARDS & LENAHA, or any partner thereof, the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNMENT

Page 2 f 2

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Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.